

**Appln No. 10/015,905
Amdt date January 10, 2005
Reply to Office action of August 10, 2004**

REMARKS/ARGUMENTS

The Office Action dated August 10, 2004, has been reviewed and the comments carefully considered.

In the Office action, various issues and questions are raised concerning the description of the variety. By the amendments in the accompanying Substitute Specification, Applicant has made a bona fide effort to address all issues and questions.

In view of the foregoing amendment and response, it is believed that the application is in condition for allowance and, accordingly, reconsideration and allowance is earnestly solicited.

If any questions remain regarding the allowability of the application, Applicant would appreciate if the Examiner would advise the undersigned by telephone.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By Cynthia A. Bonner
Cynthia A. Bonner
Reg. No. 44,548
626/795-9900

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SUBSTITUTE SPECIFICATION
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HYBRID TEA ROSE PLANT NAMED 'MISS AMBER'

CLASSIFICATION

The present invention relates to a new *Rosa hybrida* plant.

VARIETY DENOMINATION

5 The new plant has the varietal denomination 'MISS AMBER'.

BACKGROUND OF THE INVENTION

The present invention relates to a new and distinct variety of rose plant of the hybrid tea rose of the genus *Rosaceae* which was created by crossing as seed and pollen parents two (2) 10 unknown rose varieties. The varietal denomination of the new variety is 'MISS AMBER'.

SUMMARY OF THE INVENTION

Among the novel characteristics possessed by this new variety which distinguishes it from other varieties of which I 15 am aware, is its orange-red flowers.

Asexual reproduction by propagation by budding of the new variety onto 'Dr. Huey' rootstock as performed in Wasco, California shows that the foregoing and other distinguishing characteristics come true to form and are established and 20 transmitted through succeeding propagations.

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BRIEF DESCRIPTION OF ILLUSTRATION

The accompanying illustration shows typical specimens of the flowers and foliage of the new variety depicted in color as nearly true as it is reasonably possible to make the same in a 5 color illustration of this character.

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DESCRIPTION OF THE NEW VARIETY

The following is a detailed description of 2-year budded plants of the new variety, with color terminology in accordance with *The Royal Horticultural Society Colour Chart* (RHSCC). The 5 terminology used in color description herein refers to plate numbers in the aforementioned color chart. Phenotypic expression may vary with light availability, environmental and cultural conditions.

10 The following observations are made of specimens grown outdoors in Wasco, California, during November budded on 'DR. HUEY' understock.

PLANT

Form: Spreading
15 Growth: Semi-vigorous
Size: Height about 36 inches;
width about 36 inches

Foliage

20 Size: Terminal leaflet length
about 2 1/4 inches; width
about 1 1/2 inches
Quantity: Compound, ~~usually 5 to 7~~
~~leaflets; most typically 3~~
[[7]] leaflets per leaf

Color

25 New foliage: Upper side near 178A; under
side near 179A

Mature foliage: Upper side near 137A; under
side near 137D

Shape:

Elliptic

30 Texture

Upper side: Smooth, semi-glossy

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	Under side:	Matte
	Edge:	Serrated
	Serration:	Serrate
	Petioles:	Top surface color near 143B; Under side near 143C
5		
	Stipules:	Medium length
	Rachis:	Few prickles
	WOOD	
	New shoots	
10	Bark:	Smooth
	Wood:	Near 178B
	Old wood	
	Bark:	Smooth
	Wood:	Near 143A
15	Flowering stem:	Length about 12 inches
	Winter Hardiness:	Completely winter hardy
	Resistance to Disease:	<u>Fair</u>
	Preferred growing conditions:	Full sun
20	Growth habit:	Medium vigor
	Leaves per stem:	About 5
	Prickles/Thorns:	<u>Triangle shaped; thorns</u> <u>about 1/4 inch long, color</u> <u>near 165A, usual number of</u> <u>prickles and thorns New</u> <u>thorns about 3/16 in.,</u> <u>color near 142B; mature</u> <u>thorns about 3/8 in., color</u> <u>near 144B</u>
25		
30	FLOWER/INFLORESCENCE	
	Blooming Habit:	Continuous

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	Bud	Length about 2 inches; width about 1 9/16 inches
	Form:	Classic rose form
	Color:	Before sepals divide color near 33A; when sepals first divide color near 33A; when petals begin to unfurl color near 37A
5	Sepals:	Long and thin, usually about 5 sepals 1 inch long by 1/4 inch wide with a few small extensions
10	Size:	Length in relation to bud, about 1 1/2 inches
15	Color	Topside near 143B; bottom near 144A
	Peduncle	
	Length:	About 3 inches, <u>smooth</u> <u>usually bearing numerous</u> <u>small acicular projections;</u>
20	Strength:	Erect
	Color:	Near 143C, <u>at times slight</u> <u>anthocyanin in coloration;</u> <u>color near 57C</u>
25	Flower	
	Size:	About 5 1/4 inches
	Borne:	Single
	Form:	High center; unfurls full
	Petalage:	About 26
30	Petaloids in center:	About 7, <u>near 58A</u>
	Persistence:	Petals do not drop

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	Fragrance:	Slight
	Lasting Quality:	About 3 weeks on plant; about 7 days after cutting
	Color	
5	During first 2 days:	Inner petals at flower center topside near 37A; bottom near 38A; outer petals topside near 37B, bottom near 38B
10	Base of petals (Point of attachment):	Near 2A
	General tonality from a distance:	Near 34B
	Color Change:	Remains the same even after 3 or more days
15	Petals	
	Texture:	Thin, soft, velvet texture
	Size:	About 1 1/2 inch long by about 1 1/4 inch wide
20	Shape:	<u>Longer than wider</u> <u>Oval</u> ; <u>Length approximately 1 5/8</u> <u>in., width approximately 1 1/4</u> <u>in.</u>
	Color:	Top - near 34A; Bottom - <u>near 35B</u>
25	Margin:	<u>Slightly serrated</u>
	Arrangement:	Imbricated
	Appearance:	Velvety
	REPRODUCTIVE ORGANS	
30	Arrangement of stamens, Filaments and Anthers:	Regularly arranged around

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styles

Color: Filaments near 7A; Anthers
near 10A

Pollen: No pollen

5 Styles: Thin; medium length, about
110 anthers and filaments

Stigmas: usual

Color: Near 16D

Hips/Seed Vessels/Ovaries

10 Shape: Round

Size: Small; about 1/4 inch

Color: Near 138B

Seeds: No seeds

Disease Resistance The cultivar has average
15 disease resistance/
susceptibility

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I CLAIM:

A new and distinct Hybrid Tea Rose plant of the variety substantially as shown and described.

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ABSTRACT

A new and distinct Hybrid Tea Rose plant variety with orange-red flowers.